

Serial No. 09/788,422

Art Unit: 2623

REMARKS

Claims 1 - 12 are pending in the present application, wherein claims 11 and 12 are newly added.

In section 2 of the Office Action, claims 1 - 10 are rejected under 35 U.S.C. 112 first paragraph, and in section 6 of the Office Action, claims 1 - 10 are rejected under 35 U.S.C. 112, second paragraph. Applicants amended claims 1 - 10 to address these issues. Reconsideration and withdrawal of the section 112 rejections are respectfully solicited.

In section 7 of the Office Action, claims 1 and 6 - 8 are objected to. The aforementioned amendment of claims 1 - 10 also addresses this objection. Applicants respectfully request reconsideration and withdrawal of the objection to claims 1 and 6 - 8.

In section 9 of the Office Action, claims 1 - 8 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,806,072 to Kuba et al. (hereinafter "the Kuba et al. patent"). Applicants respectfully traverse this rejection.

Claim 1 provides for a method of augmenting a set of image recordings. The method includes, *inter alia*, (i) recording, in association with taking an image recording of the set using a camera, first data indicative of a geographic location of the camera, and (ii) recording second data indicative of a geographic location of the camera. The method further includes augmenting the set by using the second data to retrieve an image recording concerning the geographic location indicated by the second data.

The Kuba et al. patent discloses a method and system for storing digital image data in a hierarchical form as a file in a directory or subdirectory supported by a disk operating system (Abstract). The Office Action suggests that the Kuba et al. patent FIGS. 6, 13 and 14, and a passage at col. 2, lines 5 - 23 discloses certain features of claim 1. However, FIG. 6 shows an example of a hierarchical directory structure (col. 15, lines 24 - 25), FIG. 13 is a flowchart of a "directory production routine" (col. 18, lines 43 - 44), FIG. 14 is a flowchart of an "UP switch routine" (col. 18, lines 60 - 61), and the passage at col. 2, lines 5 - 23 describe purported

Serial No. 09/788,422

Art Unit: 2623

problems with conventional techniques for storage of image data. Applicants respectfully submit that these citations to the Kuba et al. patent are directed toward a hierarchical directory structure, and management thereof, and that the term "location" in the Kuba et al. patent is used in a context of a location of data recorded in an area of memory (e.g., col. 1, lines 50 – 51). Applicants also wish for the Examiner to note that the Kuba et al. patent does not include the term "geographic", much less a "geographic location" of a camera.

Whereas the Kuba et al. patent uses the term "location" in the context of a **location of data recorded in an area of memory**, and whereas the Kuba et al. patent does not disclose a "geographic location" of a camera, Applicants submit that the Kuba et al. patent does not disclose any of (i) recording first data indicative of a **geographic location** of a camera, (ii) recording second data indicative of a **geographic location** of the camera, or (iii) augmenting the set by using the second data to retrieve an image recording concerning the **geographic location** indicated by the second data, all of which are recited in claim 1. Thus, Applicants submit that the Kuba et al. patent does not anticipate claim 1.

Claims 2 – 8 depend from claim 1. By virtue of this dependence, claims 2 – 8 are also novel over the Kuba et al. patent.

Applicants respectfully request reconsideration and withdrawal of the section 102(c) rejection of claims 1 – 8.

In section 11 of the Office Action, claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Kuba et al. patent in view of U.S. Patent No. 6,272,235 to Bacus et al. (hereinafter "the Bacus et al. patent"). Applicants respectfully traverse this rejection.

The Bacus et al. patent is directed toward construction, storage and viewing of images from a microscope specimen. The Bacus et al. patent does not disclose a geographic location of a camera. Consequently, the Bacus et al. patent does not make up for the deficiencies of the Kuba et al. patent as the Kuba et al. patent relates to claim 1. Thus, claim 1 is patentable over the cited combination of the Kuba et al. and Bacus et al. patents.

Serial No. 09/788,422

Art Unit: 2623

Claims 9 and 10 depend from claim 1. Whereas claim 1 is patentable over the cited combination of the Kuba et al. and Bacus et al. patents, so are claims 9 and 10.

Applicants respectfully request reconsideration and withdrawal of the section 103(a) rejection of claims 9 and 10.

Applicants amended the claims for one or more of (a) addressing issues of form, (b) ensuring an antecedent basis for terms, (c) improving grammar, or (d) deleting recitals that do not appear to be necessary for patentability. None of the amendments is intended to narrow the scope of any term of any claim. Therefore, the doctrine of equivalents should be available for all of the terms of all of the claims.

Applicants added claims 11 and 12 to even further provide the claim coverage that Applicants appear to deserve based on the prior art that was cited by the Examiner. A favorable consideration that also results in the allowance of claims 11 and 12 is earnestly solicited.

In view of the foregoing, Applicants respectfully submit that all claims presented in this application patentably distinguish over the prior art. Accordingly, Applicants respectfully request favorable consideration and that this application be passed to allowance.

11-12-04  
Date

Respectfully submitted,



Paul D. Greeley, Esq.  
Reg. No. 31,019  
Attorney for the Applicants  
OHLANDT, GREELEY, RUGGIERO & PERLE, L.L.P.  
One Landmark Square, 10<sup>th</sup> Floor  
Stamford, CT 06901-2682  
Tel: 203-327-4500  
Fax: 203-327-6401